

## Exminster Parish Council Meeting Minutes

Monday 4 March 2019 at 19:30 in the Victory Hall, Main Road, Exminster

Chairman: Josie Walledge

19/93	<p><b><u>Public open session</u></b> No comments.</p>	
19/94	<p><b><u>Present</u></b> Cllr Peter Chandler (PC), Cllr John Goodey (JG), Cllr Derek Madge (DM), Cllr Charles Nuttall (CN), Cllr John Ponsford (JP), Cllr Kevin Smith (KS), Cllr Lorne Smyth (LS), Cllr Josie Walledge (JW). Clerk: Mrs Jill Daw (JD) Deputy Clerk: Mrs Helen Hibbins (HH) Devon County Councillor: Alan Connett (AC) Teignbridge District Councillors: John Goodey (JG), Kevin Lake (KL) Public: 2</p>	
19/95	<p><b><u>Apologies accepted from</u></b> Cllr Sheila Churchward (SC) – personal reasons Cllr Brian Aird (BA) – personal reasons</p>	
19/96	<p><b><u>Declaration of interest on Agenda Items</u></b> None declared.</p>	
19/97	<p><b><u>Dispensation requests regarding Code of Conduct</u></b> None received.</p>	
19/98	<p><b><u>To approve the Draft Minutes of the Exminster Parish Council Meeting held on 18<sup>th</sup> February 2019</u></b> Resolved.</p>	
19/99	<p><b><u>County Councillors Report on items other than those on the agenda</u></b> Devon County Councillor Alan Connett reported:</p> <ol style="list-style-type: none"> <li>1. Clearance of the pavement between the footpath to the Sentry's Farm development and the Swans Nest roundabout continued to be pursued with Devon County Council (DCC) Highways.</li> </ol>	
19/100	<p><b><u>District Councillors Reports on items other than those on the agenda</u></b> Teignbridge District Councillor Kevin Lake reported:</p> <ol style="list-style-type: none"> <li>1. A recent litter pick in the area near the motorway bridge had yielded less litter than before. It was felt that this could be attributed to anti-litter signage that had been installed.</li> <li>2. The swings that had been removed from Gissons play park for safety reasons were expected to be replaced in April.</li> </ol> <p>Teignbridge District Councillor John Goodey reported:</p> <ol style="list-style-type: none"> <li>3. There appeared to be an increase in littering on Day's Pottles Lane, in the area near the overbridge. A site was being sought where an anti-litter sign could be posted.</li> </ol>	
19/101	<p><b><u>Chairman's Report</u></b> The Chairman reported:</p> <ol style="list-style-type: none"> <li>1. Cllr Smith had accompanied the Chairman to a meeting with the new CEO for Westbank, Matthew Byrne. <ul style="list-style-type: none"> <li>• Mr Byrne was keen to understand residents' perception of Westbank and understand the services that residents required. The aim of Westbank was to serve the local community, although the scope of the services was national in some cases.</li> <li>• Westbank are supportive of Exminster Recreational Trust's plans to create additional car parking spaces near the Pavilion at Minster Park.</li> <li>• Mr Byrne was encouraged to do more to emphasise Westbank's green travel policy to ease the on-street parking burden.</li> </ul> </li> </ol>	

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	<ul style="list-style-type: none"> <li>• Cllrs Walledge &amp; Smith described developments in relation to the Community Plan, Neighbourhood Development Plan (NDP), Matford development and the Matford Facility. Mr Byrne asked to be kept informed of developments.</li> <li>• Mr Byrne was interested in working with the Parish Council to encourage greater participation in health &amp; fitness activities amongst young people in the Parish.</li> <li>• It was agreed to hold update meetings two to three times per year.</li> </ul>													
19/102	<p><b>Clerk's Report</b></p> <ol style="list-style-type: none"> <li>1. A resident of a neighbouring property of Spurfield House had complained about brambles from the grounds overhanging their property. The Clerk had informed them that it was a civil matter but had contacted the owner regarding cutting back the brambles overhanging the bus stop area.</li> <li>2. A letter had been received from a resident asking questions related to financial contributions towards community facilities at Matford via S106 agreements. The matter would be discussed in item 19/108.</li> <li>3. The Public Sector Bodies (Websites and Mobile Applications) (no 2) Accessibility Regulations 2018 had come into force, requiring every new public sector website from 23 September 2019 to meet accessibility standards and publish statements to say that the standards had been met. Existing websites would need to comply by 22 September 2020.</li> <li>4. The Annual Parish Meeting would take place on Monday 11 March.</li> <li>5. Parish Council meetings in May would take place on 13 May and 20 May to accommodate the elections.</li> <li>6. Cllrs Aird and Churchward were booked onto the Teignbridge District Council (TDC) planning café events; designed to provide information on the Local Plan refresh.</li> <li>7. Cllr Churchward had booked onto a planning course.</li> <li>8. The Southern Junction safety works were scheduled to start during the week commencing 11 March. The works were expected to take 2 weeks.</li> <li>9. A planning application for Matford Home Park had been received and was on the agenda for the next Parish Council meeting.</li> <li>10. The results from the pedestrian crossing survey work near the northern junction with Sannerville Way would be on the agenda for the next Parish Council meeting. The report would be circulated ahead of the meeting.</li> <li>11. Councillors were reminded to bring their Register of Interests up to date if required.</li> </ol>													
19/103	<p><b>To update Councillors on the timetable leading up to the Council elections on 2 May</b></p> <table border="1" data-bbox="263 1473 1388 1776"> <thead> <tr> <th>Event</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>• Publication of notice of election</li> <li>• Purdah starts</li> </ul> </td> <td>18 March</td> </tr> <tr> <td>Submission of nomination papers to TDC</td> <td>Between 19 March and 4pm on 3 April</td> </tr> <tr> <td>Deadline for withdrawal of nominations</td> <td>4pm on 3 April</td> </tr> <tr> <td>Polling day</td> <td>2 May</td> </tr> <tr> <td>Deadline for Cllrs to return election expenses (nil returns required)</td> <td>30 May</td> </tr> </tbody> </table> <p>There was some discussion about what was and wasn't allowed during 'purdah'. Councillors were advised to refer to the Local Government Association guidance on the matter.</p>	Event	Date	<ul style="list-style-type: none"> <li>• Publication of notice of election</li> <li>• Purdah starts</li> </ul>	18 March	Submission of nomination papers to TDC	Between 19 March and 4pm on 3 April	Deadline for withdrawal of nominations	4pm on 3 April	Polling day	2 May	Deadline for Cllrs to return election expenses (nil returns required)	30 May	
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19/104	<p><b>To consider any potential projects which could benefit from the Rural Aid Scheme 2019</b></p> <p>The Clerk explained that there was a very short window for applications to the scheme and Council needed to consider whether it had suitable projects for funding or to ask other community groups for applications. It was noted that any application from a community group would need approval from the Parish Council.</p>													

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	It was agreed to contact the Victory Hall Trust, Deepway Centre Trust and Exminster Recreational Trust to make them aware of the scheme.	JD
<b>Planning Matters</b>		
19/105	<b>Planning Applications</b>	
/1	<p><b>19/00197/FUL, 66 Miller Way - Single storey rear extension</b></p> <p>Pre-application advice had identified that the proposed extension was close to a Horse Chestnut tree with a Tree Protection Order. While the tree was not considered to be at risk from the building, there was the potential that in the future a falling branch may cause damage because of its proximity; the applicants were informed this would not be a sufficient reason to have the tree lopped or removed.</p> <p>The extension would not affect the street scene and the proposed materials were in keeping with the existing property.</p> <p>There was sufficient parking to allow increased occupancy.</p> <p>It was resolved to support the application, noting the comments of the arboricultural officer.</p>	HH
/2	<p><b>19/00307/FUL, 77 Brownlees - First floor extension over existing garage</b></p> <p>The materials for the proposed extension would be in keeping with the existing property and did not crowd the street scene.</p> <p>There was adequate parking available on the driveway to allow for increased occupancy.</p> <p>It was resolved to support the application.</p>	HH
19/106	<b>Planning Decisions</b>	
/1	<b>19/00171/FUL, 6 Miller Way - Replacement conservatory roof - GRANTED</b>	
/2	<b>JR/DCC/4069/2018, Kenbury Wood Landfill Site - Variation of conditions [1(plans),15 (stockpiles),18 (ecology),21 (gate),25 (drainage), 27(landscaping)] attached to permission 16/01969/DCC for the retention of the integrated waste management facility for the processing, transfer and recycling of waste and production of recycled aggregates, including offices, parking, hardstanding, associated plant and equipment and the extension in time (20 years) and area of the inert landfill - GRANTED</b>	
/3	<p><b>17/02505/FUL, Myrtle Cottage, Exminster – Construction of two detached dwellings and demolition of existing double garage – REFUSED</b></p> <p>Councillors were pleased with the outcome and noted that three out of the four reasons put forward by the Parish Council in its objection to the application had been upheld in the Officer's report.</p>	
/4	<b>18/02584/FUL, Ross Hi, Abovevay, Exminster - Conversion of garage and store to domestic accommodation ancillary to the dwelling - REFUSED</b>	
<b>Other Planning Matters</b>		
19/107	<p><b><u>To update Council on a meeting held on the 28 February with representatives from the Westbank Practice</u></b></p> <p>Cllr Aird, Mrs Dianne Smyth and the Deputy Clerk attended the meeting.</p> <ul style="list-style-type: none"> <li>• NHS England had confirmed that no other provider had expressed an interest in providing primary care provision for Matford and therefore the Practice had agreed they would take it on.</li> <li>• The implications of DCC's successful Housing Infrastructure Fund (HIF) bid were outlined as far as understood by the Parish Council. The Deputy Clerk had contacted Sarah Ratnage (DCC officer for special projects and school infrastructure development) who had confirmed that the GP surgery was still intended for inclusion in the community facility.</li> <li>• The trigger points for interim provision and subsequent completion of a surgery, as stated in the South West Exeter development framework, were discussed.</li> <li>• The services proposed by the Practice were in line with those already provided at the existing surgeries in Starcross and Exminster. As a full service would not be provided</li> </ul>	

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	<p>immediately, the importance of a bus service linking Exminster and Matford was emphasised.</p> <ul style="list-style-type: none"> <li>The Practice would provide the Parish Council with a wish list of facilities for the new surgery. A surgery in Cullompton linked to community facilities was cited as a good example of what could be achieved in order to support 'social prescribing'.</li> <li>It was agreed to meet as and when updates were available.</li> </ul>	
19/108	<p><b><u>To consider the Planning Officers report for Matford Home Farm - 15/00921/MAJ</u></b></p> <p>The planning officer's report had been circulated and considered at the Exminster Neighbourhood Development Plan Implementation Group (ENDPIG) meeting on 25 February. Cllr Ponsford had written a report outlining concerns raised regarding the terms for the proposed S106 agreement.</p> <p>Two key points appeared to deviate from the S106 agreement that Bovis had signed up to and that the Parish Council believed would be the blueprint for future S106 agreements for the development.</p> <ol style="list-style-type: none"> <li>The financial contribution towards the surgery/primary care provision was not specified.</li> <li>It was expected (from definitions within the Bovis S106 agreement) that developers who would not have the community facility within their development area would pay an offsite contribution towards the cost of the land, within the Bovis site, on which the facility would be located. An offsite community contribution of £2,000 per dwelling was expected, in addition to the £2,000 per dwelling contribution towards the community building itself.</li> </ol> <p>Following the ENDPIG meeting, the Deputy Clerk had contacted TDC to highlight the issues raised above. Assurance had been received that the contribution towards the surgery/primary care provision would be at the same level as specified in the Bovis S106 agreement; however, to date, there had not been a satisfactory response to b). This was extremely concerning as there was a potential shortfall of £670,000 in contributions towards the community building.</p> <ul style="list-style-type: none"> <li>It was proposed that the Parish Council formally wrote to TDC expressing concerns about the terms of the S106 agreement for Matford Home Farm, giving TDC 48 hours to respond to the initial query raised in b) above and seeking assurance that the S106 agreement would not be signed off until these questions had been answered to the Parish Council's satisfaction. Resolved.</li> <li>It was proposed that the solicitor who had acted for the Parish Council on the Bovis S106 agreement be given an outline of the situation and asked to confirm the Council's understanding. Resolved.</li> <li>It was proposed that, if the response from TDC was unfavourable, the Council should instruct the solicitor to write to TDC's solicitor. Delegated authority was sought, due to urgency, for the Clerk to incur up to £5,000 of legal expenses (in consultation with the Chairman/Vice Chairman) in this matter. Resolved.</li> </ul>	HH  HH  HH
<b>Neighbourhood Development Plan</b>		
19/109	<p><b><u>Notes of the ENDPIG meeting held on the 25 February 2019</u></b></p> <p>Notes from the meeting had been circulated to all Councillors. The following points were noted:</p> <p><b>Matford</b></p> <ul style="list-style-type: none"> <li>Following DCC's successful HIF bid, the funds required to reimburse DCC to bring forward the provision of a community centre should come from developer contributions (as per the S106 agreements) in the first instance; to be topped up with the Parish Council's Community Infrastructure Levy (CIL). Suitable legal agreements would be implemented to ensure this.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• There was a statutory 5-year timescale to spend CIL receipts. It may be unrealistic to spend the CIL coming forward from the Matford Development within this timeframe due to the scale of the project proposed. Therefore, a legal agreement would need to be in place to ensure that the CIL could not be reclaimed as it was committed. It was agreed that this should be discussed at the next meeting with TDC.</li> <li>• Time had moved on since plans were drawn up for the Matford Facility 3 years ago and it was highly unlikely that the plans would be the final design. Further feasibility studies and a needs analysis would be needed, taking into account the community and sports facility offerings of the school, to ensure that all community services at Matford were viable.</li> <li>• Discussions needed to take place with the Ted Wragg Trust as soon as possible to ensure that sport &amp; leisure facilities suitable for out-of-hours community use would be delivered as part of the school design.</li> </ul> <p><b>Other matters</b></p> <ul style="list-style-type: none"> <li>• Cllr Chandler stated that he would like to be involved in future meetings between the Parish Council and Deepway Centre Trust.</li> <li>• It was noted that the legal agreement for the Gissons footpath was taking a long time. The Deputy Clerk explained that this was due to a shortage of personnel in the TDC legal department.</li> </ul>	HH
<b>Finance Matters</b>		
19/110	<p><b><u>Accounts for Approval</u></b> It was resolved to approve payments in the sum of £8192.04.</p>	HH
<b>Property &amp; Amenities Matters</b>		
19/111	<p><b><u>To consider the draft Teignbridge District Council policy on service devolution and asset transfer for town and parish councils</u></b> Cllrs Madge and Goodey had attended a Teignbridge Association of Local Council (TALC) meeting where the policy was discussed.</p> <p><b>Service devolution</b> Currently, town and parish precepts were not capped, whereas funding for district councils was. This would allow town and parish councils to increase precepts to fund devolved services. The intention was that where statutory services were devolved, TDC would retain a monitoring role despite not providing them.</p> <p><b>Asset disposal</b> TDC's intention was to dispose of assets at market value, although asset transfer at 'less than best price' would be considered. A lengthy application process was proposed requiring town and parish councils to present a business case for any asset it was considering taking on.</p>	
19/112	<p><b><u>To update Council on plans in place to hold the Exminster Long Table (ELT) event on 9 June and consider a request from the ELT Community Interest group to open the Public Toilet on that day</u></b> The Clerk had received an email outlining plans for this year's event. It was resolved to allow the public toilet to be opened.</p>	JD
19/113	<p><b><u>To consider if the Parish Council should apply to have the following properties, listed again as Assets of Community Interest</u></b></p> <ol style="list-style-type: none"> <li>1. <b>Westbank Community Health and Care Centre</b> Resolved.</li> <li>2. <b>Limes Surgery</b> Resolved.</li> </ol>	JD
19/114	<p><b><u>To authorise expenditure of essential tree works in the Wilderness area in the sum of £960</u></b> 8 Alder trees required pollarding. It was resolved to approve the expenditure and advise neighbours that the work would be taking place.</p>	JD

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19/115	<p><b><u>Councillors' Reports – for information only</u></b></p> <ol style="list-style-type: none"> <li>1. Cllr Chandler reminded Councillors of the Green Spaces Spring Walk on Saturday 9 March at 14:00 starting at the Victory Hall Car Park.</li> <li>2. The Chairman and Clerk had been nominated as outstanding 'Women of the Community' and had been invited to attend a ceremony on International Women's day (8 March) at County Hall.</li> </ol>	
19/116	<p><b><u>Public Open Session</u></b></p> <p>Comments:</p> <ol style="list-style-type: none"> <li>1. Council needed to ensure that the £5M allocated to community facilities in the DCC HIF grant was secured as soon as possible so that the facility could be brought forward early in the development to prevent pressure on existing services in Exminster and Alphington, such as the GP surgery. Council needed to reconsider the design of the Matford Facility taking into account the requirements of the Westbank Practice.</li> <li>2. Cllrs Lake and Goodey would contact the TDC planning department in their capacity as Executive Committee members regarding the S106 agreement for Matford Home Farm to re-iterate the Parish Council's concerns.</li> </ol>	
<p>The meeting closed at 21:05 Date of next meeting: Monday 18<sup>th</sup> March 2019 at 19:30 in the Victory Hall</p>		

Signed:....Josie Walledge..... Date:....18<sup>th</sup> March 2019.....